

## IN THE CLAIMS

Please amend the claims to read as follows:

### Listing of Claims

1-5. (Canceled).

6. (Currently Amended) A base station apparatus that performs radio communication with a communication terminal apparatus using a multicarrier communication band divided into a plurality of blocks, the base station apparatus comprising:

an assignment section that assigns one of the plurality of blocks to first data according to communication quality information from the communication terminal apparatus, the first data being encoded and modulated according to the communication quality information from the communication terminal apparatus, according to the same communication quality information, and that assigns a predetermined block one of the plurality of blocks to second data without regard to the communication quality information, the second data being encoded and modulated without regard to the communication quality information ~~from the communication terminal apparatus~~, in accordance with ~~a predetermined pattern without regard to the communication quality information~~; and

a frequency hopping section that performs frequency hopping of the first data and the second data ~~in the respective blocks to which the first data and the second data are assigned to~~ the respective blocks.

7. (Previously Presented) The base station apparatus according to claim 6, wherein the communication quality information comprises a CIR of each block that is calculated in the communication terminal apparatus based on power of a desired signal of said each block and an average value of power of an interference signal over the plurality of blocks.

8. (Currently Amended) A communication method in a base station apparatus that performs radio communication with a communication terminal apparatus using a multicarrier communication band divided into a plurality of blocks, the method comprising:

assigning one of the plurality of blocks to first data according to communication quality information from the communication terminal apparatus, the first data being encoded and modulated according to the communication quality information from the communication terminal apparatus, ~~according to the same communication quality information~~, and assigning a predetermined block one of the plurality of blocks to second data without regard to the communication quality information, the second data being encoded and modulated without regard to the communication quality information ~~from the communication terminal apparatus~~, ~~in accordance with a predetermined pattern without regard to the communication quality information~~; and

performing frequency hopping of the first data and the second data ~~in the respective blocks to which the first data and the second data are assigned~~ to the respective blocks.

9. (New) The base station apparatus according to claim 6, wherein the first data and the second data are transmitted simultaneously using frequencies different from each other.

10. (New) The base station apparatus according to claim 6, wherein the frequency hopping section performs frequency hopping of the first data and the second data assigned to the respective blocks according to frequency hopping patterns different from each other.

11. (New) The base station apparatus according to claim 6, wherein the frequency hopping section performs frequency hopping of the first data between the plurality of blocks, and performs frequency hopping of the second data in one block.

12. (New) The base station apparatus according to claim 6, wherein:  
the first data comprises user data; and  
the second data comprises control data.